

- (ii) a telecommunications corporation;
- (iii) a cable television corporation;
- (iv) a political subdivision;
- (v) a municipal corporation;
- (vi) a steam heating company; and
- (vii) an authority.

(G) "OWNER-MEMBER" MEANS AN OWNER THAT PARTICIPATES AS A MEMBER IN A ONE-CALL SYSTEM.

[(g)] (H) (1) "Person" has the meaning stated in § 1-101 of this article.

(2) "Person" includes:

- (i) a municipal corporation; and
- (ii) a governmental unit, department, or agency.

[(h)] (I) (1) "Underground facility" means personal property that is to be buried or submerged for:

- (i) use in connection with the storage or conveyance of water, sewage, oil, gas, or other substances; or
- (ii) transmission or conveyance of electronic, telephonic, or telegraphic communications or electricity.

(2) "Underground facility" includes pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those portions of poles below ground.

(3) "Underground facility" does not include a stormwater drain.

12-104.

(a) **[A]** EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, A person that obtains the information required under this subtitle is not excused from:

- (1) performing an excavation or demolition in a careful and prudent manner; and
- (2) liability for damages or injury that results from the excavation or demolition.

(b) If an underground facility is damaged by a person that fails to comply with this subtitle, the person is deemed negligent and is liable to the owner for the total cost of repair of the underground facility, UNLESS THE OWNER HAS FAILED TO BECOME AN OWNER-MEMBER IN ACCORDANCE WITH § 12-109 (B) OF THIS SUBTITLE.